

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF January 13, 2006

(Published January 21, 2006, in *Finance and Commerce*)

Council Chamber  
350 South 5<sup>th</sup> Street  
Minneapolis, Minnesota  
January 13, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Johnson.

Lilligren moved to amend the agenda so as to change the title of Item No. 1 of the Health, Energy & Environment Committee agenda from "Civilian Police Review Authority" to "Civil Rights Commission." Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted 1/13/06.

Lilligren moved acceptance of the minutes of the regular and adjourned meetings held December 23, 2005 and the Organization meeting held January 3, 2006. Seconded.

Adopted upon a voice vote 1/13/06.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 1/13/06.

### PETITIONS AND COMMUNICATIONS

#### COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270904)

Affordable Housing Trust Fund: Report on criteria & process for AHTF pipeline.

#### COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270905)

Land Sale: 2928-16th Ave S to AA Contracting, Inc.

Small Business Loan Guaranty Program: Loan Guaranty Program Guidelines; Authority to underwrite & execute agreements.

Home Ownership Works (HOW) Program: Amendments to real estate agency broker compensation; maximum HOW buyer affordability loan; implementation of non-profit construction management reimbursement for management of new construction projects; & direction to amend real property disposition policy.

**COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270906)

Mississippi Watershed Management Organization: Authorize fund agreement; appropriations.

**HEALTH, ENERGY AND ENVIRONMENT (See Rep):**

MAYOR (270907)

Civil Rights Commission: Approve Mayoral reappointments and appointments for terms to expire August 31, 2008 — Sherman Patterson Jr; Sonja Peterson; Amy Johnson; Sean Kennedy; Frances Li; Michelle Monteiro; Christopher Okoroegbe.

**HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270908)

Teenage Pregnancy and Parenting Program: Execute contract with Minnesota Department of Public Safety to receive \$60,000 in funding for comprehensive delinquency prevention programs at Broadway School for Pregnant and Parenting Teens.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

INSPECTIONS DEPARTMENT (270909)

Chapter 249 Property at 3438 Penn Av N. Status report.

LICENSES AND CONSUMER SERVICES (270910)

Mel-O-Glaze (4800 28th Av S): Request to deny renewal of Food Manufacturer license.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (270911)

Chapter 249 Properties: Authorize demolition of:

3149 Columbus Av S

515 E 24th St.

LICENSES AND CONSUMER SERVICES (270912)

Dixies Calhoun (2730 W Lake St): Grant On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Red Lounge (10 S 5th St): Grant On-Sale Liquor Class B with Sunday Sales, subject to conditions.

Licenses: Applications.

POLICE DEPARTMENT (270913)

Police Chaplaincy Support: Execute contract with Minneapolis Police Chaplains Corp to provide support to Police Department, victims of violent crimes, and others.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

FIRE DEPARTMENT (270914)

Credit Based Firefighter Training Programs: Accept proposal from Hennepin Technical College to provide training programs; and Authorize negotiate five-year agreement.

POLICE DEPARTMENT (270915)

Witness Relocation: Accept \$600 from Minnesota Bureau of Criminal Apprehension to fund relocation of an eye witness in a murder case; and Approve appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (270916)

Minneapolis Street Lighting Policy and Visibility Study Update: Receive and file report.

School Pedestrian Safety Program: Receive and file report.

Traffic Zones, Restrictions, and Controls: Receive and file 2005 4th Quarter report.

Traffic Zones, Restrictions, and Controls: Documentation for 2005 3rd Quarter report (See Petn. No. 270739).

XCELENERGY/NSP (270917)

Utility Pole: Install new 30' pole at E 53rd St & 48th Av S for new streetlight at the City's request, W.O. 10726918.

Utility Poles: Install 2 new 30' poles at 3345 33 1/2 St E for new streetlights at the City's request, W.O. #10741455.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

PUBLIC WORKS AND ENGINEERING (270918)

Fire Station No. 17 (330 E 38th St): Issue RFP for architectural and engineering design services.

Easement at 46th Av & E 59th St: Authorize agreement with Metropolitan Council to encroach into its easement for operation and maintenance of City-owned water main.

Lake Street Reconstruction and Streetscape (Hiawatha Av to W River Rd): a) Designate location, streets, and improvements for reconstruction and streetscape projects; b) Receive cost estimates, lists of benefited properties, and direct City Engineer to prepare assessments for both projects; c) Designate area as Street Lighting District No. 1323; d) Set public hearings for February 14, 2006.

Sale of City-Owned Vacant Land: Approve sale of 3802 Calhoun Pkwy W by method of "private sale to adjacent owner," with staff direction, and set public hearing for January 31, 2006.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

PUBLIC WORKS AND ENGINEERING (270919)

Columbia Heights Membrane Filtration Plant: Amend contract with Black & Veatch for additional services.

Emergency Bid: Accept bid from Schindler Elevator Corporation for repairs to elevator equipment at 10th & Hennepin Parking Facility.

Contract Increase: Authorize increase to contract (OP #6394) with Bituminous Roadways for additional hot-mix asphalt.

Bid: Accept OP #6546, low bid of R & R Leasing, Inc. for loading, hauling and disposal of lime waste through 2006.

**WAYS AND MEANS BUDGET (See Rep):**

ATTORNEY (270920)

Legal Settlement: Peoples Business Networking v. Weis Builders & the City of Minneapolis.

BUSINESS INFORMATION SERVICES (BIS) (270921)

Software Engineer II, Senior Information Architect: Authorize hire of Mr. Grant E. Johnson at step 4, for the position of Software Engineer II, Senior Information Architect.

Computer Aided Dispatch System Upgrade Program: Authorize execution of a 7-year Managed Services Contract with Unysis to provide the technology infrastructure to host the TriTech Computer-Aided Dispatch System.

Process Modeling Tools: Authorized to execute a 6-year contract with Casewise Systems Incorporated for Enterprise business process modeling software and its related maintenance.

COMMUNICATIONS (270922)

Utility Bill Insert: February 2006 insert providing information regarding the Southside Housing Fair and the North Minneapolis Housing Fair.

**COORDINATOR (270923)**

New Central Library Project - Change Orders: Approve Change Order No. 11 increasing Contract Number C-20481 with PCL Construction Services, Inc. (\$273,000); and Change Order No. 4 increasing Contract Number C-20133 with HKL Cladding Systems, Inc. (\$91,084).

New Central Library Project: Amending Leasing Contract #017171 with CCT Bldg. L.L.C. extending the office lease contract through May 2006.

**EMERGENCY COMMUNICATIONS CENTER (ECC) (270924)**

311 Support Staff: Authorize offer of Step 4 to Step 8 for employees hired prior to January 13, 2006 for the Administrative Analyst II (2 FTE) and Business Application Analyst II (1 FTE) positions; future job offers/hires need to be approved by Council.

**HUMAN RESOURCES (270925)**

International Association of Machinists and Aerospace Workers, District Lodge #77: Execute 2-year collective bargaining labor agreement.

Director, Human Resources Information System (HRIS) Administration: Approve re-classification of position from classified service, grade 12 (570 points) to appointed service, grade 12 (575 points), effective January 30, 2006; and Passage of Salary Ordinance.

**MAYOR (270926)**

Appointment of City Coordinator: Recommendation to appoint Steven Bosacker.

**ZONING AND PLANNING:**

**PLANNING COMMISSION/DEPARTMENT (270927)**

2030 Mpls Population Projections.

*The following reports were signed by Mayor Rybak on January 19, 2006, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.*

**REPORTS OF STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

**Comm Dev** - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2928 – 16<sup>th</sup> Ave S to AA Contracting Inc for \$23,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval; and
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 1/13/06.

Resolution 2006R-002, authorizing sale of land Model City Urban Renewal Project Disposition Parcel No. MC 269-8 (2928 – 16<sup>th</sup> Ave S), was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-002**

**By Goodman**

**Authorizing sale of land Model City Urban Renewal Project Disposition Parcel No. MC 269-8 (2928 – 16<sup>th</sup> Avenue South).**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MC 269-8, in the Phillips neighborhood, from AA Contracting Inc., hereinafter known as the Redeveloper, the Parcel MC 269-8, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description: Lot 1, except the South 9 1/2 feet thereof, Block 1, Belle Plain Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$23,000, for Parcel MC 269-8 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on December 30, 2005, a public hearing on the proposed sale was duly held on January 9, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Model City Urban Renewal Project plan, as amended, is hereby estimated to be the sum of \$23,000 for Parcel MC 269-8.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 1/13/06.

**Comm Dev** – Your Committee, having under consideration the new Community Planning & Economic Development (CPED) Small Business Loan Guaranty Program, a public-private partnership to offer small businesses additional access to capital, now recommends approval of the Loan Guaranty Program Guidelines, as set forth in Petn No 270905.

Your Committee further recommends passage of the accompanying resolution delegating authority to underwrite and execute loan guaranty agreements and supporting documentation consistent with the Loan Guaranty Program Guidelines.

Adopted 1/13/06.

Resolution 2006R-003, delegating authority to make and execute Loan Participation Agreements and other appropriate loan documentation consistent with the City's Department of Community Planning & Economic Development's Small Business Loan Guaranty Program Guidelines, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-003**

**By Goodman**

**Delegating authority to make and execute Loan Participation Agreements and other appropriate loan documentation consistent with the Small Business Loan Guaranty Program Guidelines.**

Resolved by The City Council of The City of Minneapolis:

Authority is delegated by the City Council to the Director of the Department of Community Planning and Economic Development (CPED), or his designee, the Manager of Business Finance for CPED, to make and execute Loan Participation Agreements and other appropriate loan documentation for the Loan Guaranty Program consistent with the attached Small Business Loan Guaranty Program Guidelines using forms approved by the City Attorney's Office.

Adopted 1/13/06.

**Comm Dev** – Your Committee, having under consideration a report from Community Planning & Economic Development staff recommending amendments to the Home Ownership Works (HOW) Program, now recommends that the following changes in the Program be approved:

- a) Increasing the Real Estate Agency Broker compensation from \$3,500 to \$5,000;
- b) Increasing the Maximum HOW Buyer Affordability Loan from \$20,000 to \$30,000; and
- c) Implementing the non-profit construction management reimbursement for management of new construction projects.

Your Committee further recommends that CPED staff be directed to draft an amendment to the Real Property Disposition Policy to allow for sale of properties through the HOW Program to eligible buyers prior to having an identified buyer.

Adopted 1/13/06.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the Mississippi Watershed Management Organization (MWMO) allocation of \$2,000,000 for implementation of the South East Minneapolis Industrial stormwater management plan, now recommends that the proper City officers be authorized to negotiate and enter into a MWMO Fund Agreement in the amount of \$2,000,000.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation to reflect the receipt of funds.

Adopted 1/13/06.

**RESOLUTION 2006R-004**

**By Goodman and Johnson**

**Amending the 2006 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by increasing the appropriation for the Community Planning and Economic Development Agency in the State Grants & Loans Fund (SMN0-890-8933) by \$2,000,000 and increasing the revenue source (SMN0-890-8490) by \$2,000,000.

Adopted 1/13/06.



The **HEALTH, ENERGY & ENVIRONMENT** Committee submitted the following report:

**HE&E** – Your Committee, having under consideration seven Mayoral appointments to the Minneapolis Commission on Civil Rights, and having held a public hearing thereon, now recommends approval of the following appointments for two-year terms to expire August 31, 2008:

*Reappointments*

Sherman Patterson Jr, Ward 3

Sonja Peterson, Ward 1 (attorney)

*Appointments*

Amy Johnson, Ward 7 (attorney)

Sean Kennedy, Ward 7 (attorney)

Frances Li, Ward 11 (attorney)

Michelle Monteiro, Ward 9 (attorney)

Christopher Okoroegbe, Ward 7 (attorney).

Adopted 1/13/06. Yeas, 12; Nays, 1 as follows:

Yeas - Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Remington, Benson, Johnson.

Nays - Glidden.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

**HE&E & W&M/Budget** – Your Committee, having sponsored a grant application for the Minneapolis Public Schools' Teenage Pregnancy and Parenting Program, now recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Public Safety to receive \$60,000 in funding for comprehensive delinquency prevention programs at the Broadway School for Pregnant and Parenting Teens during the period January 1 through December 31, 2006.

Adopted 1/13/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

**PS&RS** - Your Committee, to whom was referred back on November 18 and December 23, 2005 a report relating to the application of View Restaurant & Lounge LLC, dba Dixies Calhoun, 2730 W Lake St, street level, for an On-Sale Liquor Class A with Sunday Sales License (change in ownership from Dixies Smokehouse Foods Inc) to expire April 1, 2006, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching and other similar types of activities. Violation of these terms shall provide a basis for revocation of the City's consent for the licensee to operate the Class A On-Sale Liquor License.

b. that the licensee shall comply with all statutes, rules and ordinances related to the sale and service of beverage alcohol and food.

c. that the licensee shall not replace the existing Chief Manager, whether with an existing Member or a new Member, or the on-site manager, without first notifying and receiving the approval of the City of Minneapolis.

d. that the licensee acknowledges that no transfer of Member Interest shall be valid or effective until such transfer has been approved by the City Council.

e. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 1/13/06. Yeas, 12; Nays, 1 as follows:

Yeas - Goodman, Hodges, Samuels, Gordon, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Johnson.

Nays - Hofstede.

**PS&RS** - Your Committee, having under consideration the application of Basement Ten LLC, dba Red Lounge, 10 S 5th St, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire October 1, 2006, now recommends that said license be granted, subject to the following conditions:

- a. that the licensee purchase and utilize three card readers to verify the legal age of all customers entering the establishment. One will be at the main entrance, one at the VIP lounge entrance, and the other will be at the entrance to the ultra lounge space within the premises.
  - b. that the establishment may not advertise itself other than by the dba Level & Red Lounge. Therefore, the ultra lounge space may not be advertised as separate from the Red Lounge.
  - c. that the establishment will not distribute street flyers.
  - d. the establishment will limit alcohol service to the ultra lounge and the VIP Lounge when they have 18 plus events. Customers that are not 21 will have wrist bands and will not be allowed entrance to the ultra lounge. A minimum of two security staff will be at the entrance and exit point of the ultra lounge to restrict entrance to customers under 21 and to restrict alcohol from leaving the area.
  - e. no free drink specials.
  - f. hire appropriate security for the venue and at least seven security staff working any venue and at least ten security staff at capacity.
  - g. hourly premise inspection that should include the bathrooms and the outside perimeter to ensure no litter, no loitering and/or any other criminal behavior. The licensee will report any criminal behavior to 911.
  - h. that the establishment will determine appropriate rule of conduct, i.e. dress code, and will trespass any customer that does not comply with their rules of conduct. That those persons trespassed will be flagged on the card readers and will not be allowed entrance into the establishment in the future.
  - i. that the establishment will turn in confiscated fake ID's to the Minneapolis Police Department on a weekly basis.
  - j. that there must be a manager on duty at all times that has the authority to act on the licensee's behalf.
  - k. that unless the need arises sooner, a meeting of the licensee and City staff is conducted 60 days after the opening to discuss any issues.
  - l. that the licensee cooperate with the Police Department to identify appropriate security and training practices.
  - m. final inspection and compliance with all provisions of applicable codes and ordinances.
- Adopted 1/13/06.

**PS&RS** - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.  
Adopted 1/13/06.

Resolution 2006R-005, granting Liquor, Wine and Beer Licenses, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-005**  
**By Samuels**

**Granting Liquor, Wine and Beer Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:



**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2007**

Mangos Entertainment LLC, dba Visage (change in ownership from Kabanuk Diversified Investments)

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2006**

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, (new area managers for all Minneapolis locations)

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2006**

FCA Restaurant Company LLC, dba Martini Blu, 615 2nd Av S (new corporate officer and internal transfer of shares).

Adopted 1/13/06.

**PS&RS** - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 1/13/06.

Resolution 2006R-006, granting applications for Business Licenses, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-006**

**By Samuels**

**Granting applications for Business Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of January 13, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 270912):

Christmas Tree; Dry Cleaner - Flammable; Dry Cleaner - Nonflammable; Dry Cleaning & Laundry Pickup Station; Laundry; Confectionery; Food Manufacturer; Restaurant; Short-Term Food Permit; Gas Fitter Class A; ; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Commercial Parking Lot Class B; Plumber; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Sign Hanger; Steam & Hot Water Systems Installer; Suntanning Facility; Taxicab Vehicle; Combined Trades; Valet Parking; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted 1/13/06.

**PS&RS** - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 1/13/06.

Resolution 2006R-007, granting applications for Gambling Licenses, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-007**

**By Samuels**

**Granting applications for Gambling Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Gambling Class B**

Multiple Sclerosis Society Minnesota Chapter, dba Multiple Sclerosis Society Minnesota Chapter, 200 12th Av S (Site: Stasius Bar, 2500 University Av NE)

**Gambling Lawful Exempt**

Pacer Center Inc, dba Pacer Center Inc, 8161 Normandale Blvd (Raffle May 6, 2006 at Convention Center, 1301 2nd Av S)

Allina Health System, dba Allina Health System, 2120 Park Av S (Bingo & raffle February 11, 2006 at Incarnation Church, 3800 Pleasant Av S)

Church of St Philip, dba Church of St Philip, 2507 Bryant Av N (Raffle February 24, 2006)

AGC of Minnesota Foundation, dba AGC of Minnesota Foundation, 525 Park St #110, St. Paul (Raffle March 2, 2006 at Convention Center, 1301 2nd Av S)

Special Olympics Minnesota, dba Special Olympics Minnesota, 100 Washington Av S (Raffle August 19, 2006 at Metrodome).

Adopted 1/13/06.

**PS&RS** - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St.

Adopted 1/13/06.

Resolution 2006R-008, approving Technical Advisory Committee recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-008**

**By Samuels**

**Approving Technical Advisory Committee recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St.**

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on December 2, 2005 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations as a result of the licensee violating the Minneapolis Code of Ordinances and State Statute by selling alcohol to underage persons on three separate occasions;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Off-Sale Liquor License held by Witt's Liquors be revoked, with said revocation to be stayed through and including January 1, 2007, subject to the following conditions, and that the TAC recommendations as more fully set forth in said Findings on file in the Office of the City Clerk be made a part of this report by reference:

a. Witt's Liquors will require all customers to produce identification as listed in Minnesota State Statute 340A.503 Subdivision 6. A known customer or a customer of apparent or even obvious legal age must be refused service should they be unable to present valid and legal identification for each and every purchase of alcohol.

b. Witt's Liquors will purchase, install and begin utilizing an electronic identification card reader for all sales within two weeks of the effective date of the TAC Agreement. Should the purchase or delivery of such a card reader system be delayed beyond two weeks based on legitimate reasons out of the reasonable control of the licensee, the Commander of the Police License Investigation Division may grant an extension of this deadline if promptly requested. Witt's Liquors will scan/swipe all U.S. state government issued driver's licenses or identification cards that are presented as proof of age.

c. This electronic identification card reader will have the capability to do the following:

- Recognize and read U.S. state government issued driver's licenses or state government issued identification cards.

- The ability to show whether the above identification is valid.

- The ability to differentiate between valid and counterfeit identification.

- Display the age and date of birth, as should be displayed on the identification, for the purposes of assuring the identification has not been altered.

- Ability to store gathered electronic data gathered by the card reader.

- Ability to download the above data to a personal computer. The software used to achieve the download must be compatible with the suite of Microsoft products such as Access, Excel, and/or Word.

The above data will be open for examination by authorized representatives of the City of Minneapolis during regular business hours and without prior notification. Authorized representatives include, but are not limited to, Minneapolis Police Officers and City of Minneapolis Office of Licenses & Consumer Services employees.

The personal computer used to store the data will be equipped with a CD/DVD player that has the capability to record/download that data to a CD/R, CD/RW, DVD/R or DVD/RW disc.

The above data will not be purged without the authorization of the Assistant Director of Consumer Services, the Commander of the Police License Investigations Division or supervisors of the above officials.

In the event that a customer presents legal identification that cannot be read by the card reader, i.e. a passport, Witt's Liquors will create a system to log each such sale and type of identification used. This log will record the name of the customer, the time and date of the transaction, and the type of identification presented and shall be open to the inspection described above.

d. Witt's Liquors will pay \$3,000 in cost recovery to the City. An installment of \$1,500.00 is due prior to 4:00 p.m. on January 31, 2006. An installment of \$1,500.00 is due prior to 4:00 p.m. on February 28, 2006.

e. If Witt's Liquors is unable to faithfully and promptly comply with the above referenced payment schedule, they must contact the Assistant Director of Consumer Services or the Commander of the Police License Investigations Division in order to request an extension prior to the applicable installment due date. These two officials will have the final authority to grant or deny the requested extension for good cause.

f. The Off-Sale Liquor License of Witt's Liquors is suspended for a period of 30 days. Imposition of 27 days of suspension will be stayed and 3 days will be imposed. The three days of suspension have been chosen by Witt's Liquors and will include Monday January 2, 2006, Tuesday January 3, 2006 and Tuesday January 10, 2006. Should the licensee violate any provision of this Agreement, it shall immediately surrender its liquor license upon verbal or written notification from the Police License Investigation Division or City of Minneapolis Office of Licenses and Consumer Services to commence service of the remaining 27-day suspension. The City of Minneapolis reserves the right to additionally and simultaneously commence license revocation proceedings. Any sales of alcohol completed by the licensee after being notified of a violation of this Agreement and during a prescribed suspension period hereunder shall be considered unlicensed sales of alcohol in violation of state statute and Minneapolis ordinance.

g. All Witt's Liquors' employees will attend professionally-presented alcohol server training. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services. All managers and owners who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of

Minneapolis Office of Licenses and Consumer Services. This training must be completed within 30 days of the date of the agreement. All employees, managers or owners brought into the business after this initial training must attend an approved training class within 30 days of hire or approval as business owner.

h. A properly trained manager or owner must be on-site during business hours at all times.

i. This Agreement does not alter or preclude any previously imposed license conditions that may exist.

j. The licensee is aware that it will be subject to additional compliance checks during the term of this Agreement and further agrees that these compliance checks can and will be conducted by both minor-aged decoys as well as decoys of legal age. It shall be a violation of this Agreement for the licensee to sell alcohol to a legal-age decoy if that decoy is not required to present age identification to complete the sale of alcohol regardless of the actual age of the decoy.

k. This Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

l. "Date of Agreement" shall be defined as the date that the licensee signs or otherwise executes this Agreement. This agreement is subject to approval by the Minneapolis City Council, however should such approval be obtained after the execution of this Agreement the approval shall be retroactive to the date of execution.

Adopted 1/13/06.

**PS&RS** - Your Committee recommends that the proper City officers be authorized to execute a contract with The Minneapolis Police Chaplains Corp, in the amount of \$69,965, to provide police chaplaincy support to the Police Department, victims of violent crimes and others as time and resources allow.

Adopted 1/13/06.

**PS&RS** - Your Committee, having under consideration the property located at 515 E 24th St which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as Lot 14, Auditor's Subdivision No 213 (PID #34-029-24-14-0013), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Lilligren moved that the report be postponed. Seconded.

Adopted upon a voice vote 1/13/06.

**PS&RS** - Your Committee, having under consideration the property located at 3149 Columbus Av S which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as Lot 20, Block 4, Chicago Lake Park Addition to Minneapolis (PID #02-028-24-22-0079), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 1/13/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept \$600 from the Minnesota Bureau of Criminal Apprehension to fund the relocation of an eye witness in a murder case. Further, passage of the accompanying resolution appropriating \$600 to the Police Department.

Adopted 1/13/06.

**RESOLUTION 2006R-009**

**By Samuels and Ostrow**

**Amending The 2006 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-C013) by \$600 and increasing the Revenue Source (060-400-C013 - Source 3215) by \$600.

Adopted 1/13/06.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept a proposal from Hennepin Technical College to provide Credit Based Firefighter Training Programs to the Fire Department. Further, that the Fire Department staff be authorized to work with the City Attorney to negotiate a five-year agreement for the training programs with set pricing for the agreement to be in effect for the first two years, and that prior to the start of the third year, the pricing structure will be reviewed and may be amended to reflect the overall cost of delivering the training courses and promotional processes.

Adopted 1/13/06.

The **TRANSPORTATION & PUBLICS WORKS** Committee submitted the following reports:

**T&PW** - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for architectural and engineering design services for the expansion and alteration of Fire Station No. 17 (330 E 38th St). Funds are available within the 2006 project budget.

Adopted 1/13/06.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Metropolitan Council allowing the City of Minneapolis to encroach onto its easement west of the LRT Station at Fort Snelling (46th Av S & E 59th St) for the operation and maintenance of a City-owned water main.

Adopted 1/13/06.

**T&PW** - Your Committee recommends passage of the accompanying resolution designating the location and streets to be improved in the Lake Street E (Hiawatha Av to W River Rd) Reconstruction Project, Special Improvement of Existing Street No. 6709.

Adopted 1/13/06.

Resolution 2006R-010, designating the improvement of certain existing streets in the Lake Street E Reconstruction Project (Hiawatha Av to W River Rd), was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-010**

**By Colvin Roy**

**LAKE STREET EAST (Hiawatha Av to West River Road)**

**RECONSTRUCTION PROJECT**

**SPECIAL IMPROVEMENT OF EXISTING STREET No 6709**

**Designating the improvement of certain existing streets at the location described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Lake Street E from Hiawatha Av to West River Road; and

Approximately 260 feet of 27th Av S, north of Lake Street.

Adopted 1/13/06.

**T&PW** - Your Committee, having received a cost estimate of \$12,814,501, of which the City's portion is \$4,310,885 for street construction improvements and a list of benefited properties for the Lake Street E (Hiawatha Av to West River Road) Reconstruction Project, Special Improvement of Existing Street No. 6709, as designated by Resolution 2006R-010 passed January 13, 2006, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held on February 14, 2006, to consider approving the above-designated street reconstruction project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 1/13/06.

**T&PW** - Your Committee recommends passage of the accompanying resolution designating the location and streets to be improved in the Lake Street E (Hiawatha Av to West River Road) Streetscape Revitalization Project, Special Improvement of Existing Street No. 6709.

Adopted 1/13/06.

Resolution 2006R-011, designating the improvement of Lake Street E (Hiawatha Av to West River Road) streetscape revitalization project, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-011**

**By Colvin Roy**

**LAKE STREET EAST (Hiawatha Av to West River Road)**

**STREETSCAPE REVITALIZATION PROJECT**

**SPECIAL IMPROVEMENT OF EXISTING STREET NO 6709**

**Designating the improvement of certain existing streets at the location described hereinafter.**

Whereas, the Lake Street E Streetscape Revitalization Project is located within the boundaries of the proposed Lake Street E (Hiawatha Av to West River Road) Special Service District;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by installing pedestrian level street lighting, trash receptacles, landscape elements, ornamental fencing, trees and tree grates together with all the necessary appurtenances and work related to the above-described improvements:

Lake Street E from Hiawatha Av to West River Road.

Adopted 1/13/06.



**T&PW** - Your Committee, having received a base cost estimate of \$6,607,665 for improvements and a list of benefited properties for the Lake Street E Streetscape Revitalization Project, Special Improvement of Existing Street No. 6709, as designated by Resolution 2006R-011, passed January 13, 2006, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held on February 14, 2006, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the above-designated streetscape project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 1/13/06.

**T&PW** - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No. 1323 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated generally as Lake Street E from Hiawatha Av to West River Road (streets to receive lighting are as designated in the Lake Street E (Hiawatha Av to West River Road) Streetscape Revitalization Project, Special Improvement of Existing Street No. 6709).

The amount to be assessed is approximately \$4,009,150 per year, estimated. The annual cost will be divided by the total assessable frontage in feet to get an annual cost per front foot.

Your Committee recommends that if there should be an increase in the cost of street lighting in the future, that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held February 14, 2006 in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to consider the establishment of said proposed Street Lighting District No. 1323.

Adopted 1/13/06.

**T&PW** - Your Committee, having under consideration City-owned vacant land located at 3802 Calhoun Parkway West, now recommends that the land be sold by the method of "private sale to the adjacent owner" with the direction that staff prepare a restrictive covenant to be placed on the property requiring that no structures be built on the parcel.

Your Committee further recommends that a public hearing regarding said sale be held on January 31, 2006.

Adopted 1/13/06.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the construction of the Columbia Heights Membrane Filtration Plant, now recommends that the proper City officers be authorized to execute Amendment No. 2, increasing Contract No. C-017864 with Black & Veatch by \$210,000, for a revised contract total of \$5,358,000. Funds are available within the existing project budget.

Adopted 1/13/06.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the emergency bid submitted to the Public Works Department from Schindler Elevator Corporation, in an amount not to exceed \$154,800, for repairs to elevator equipment damaged by a broken fire sprinkler line at the parking facility located at 10th and Hennepin.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation in the Municipal Parking Fund Operating Budget by \$154,800, to be reimbursed by parking revenues.

Adopted 1/13/06.

**RESOLUTION 2006R-012**  
**By Colvin Roy and Ostrow**

**Amending The 2006 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue in PW-Transportation Agency in the Municipal Parking Fund (7500-685-HENN-5130) by \$154,800 to be reimbursed by parking revenues.

Adopted 1/13/06.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to increase Contract No. C-21869 (OP No. 6394) with Bituminous Roadways in the amount of \$150,000, for a revised estimated expenditure of \$1,134,000, to cover an additional 4,000 tons of hot-mix asphalt needed during 2005.

Adopted 1/13/06.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No. 6546 from R & R Leasing, Inc., for an estimated annual expenditure of \$500,000 for loading, hauling, and disposal of lime waste, as needed and directed through December 31, 2006.

Your Committee further recommends that the proper City Officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petr. No. 270919)

Adopted 1/13/06.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

**W&M/Budget** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of Steven Bosacker to serve as City Coordinator for a two-year term to expire January 2, 2008 and, having held a public hearing thereon, now recommends approval of said appointment.

Adopted 1/13/06.

Approved by Mayor Rybak 1/13/06.

Published 1/14/06

**W&M/Budget** - Your Committee recommends passage of the accompanying Resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 1/13/06.

Resolution 2006R-013, authorizing settlement of the legal claim of Peoples Business Networking, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-013**  
**By Johnson**

**Authorizing legal settlement.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of Peoples Business Networking v. Weis Builders & the City of Minneapolis, by payment of \$5,000 to Peoples Business Networking and its attorney, David Shulman.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted 1/13/06.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to hire Grant E. Johnson for the position of Software Engineer II, Senior Information Architect (Step 4).

Adopted 1/13/06.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a 6-year contract with Casewise Systems Incorporated for enterprise business process modeling software and its related maintenance.

Adopted 1/13/06.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a 7-year Managed Services Contract with Unysis to provide the technology infrastructure to host the TriTech Computer-Aided Dispatch System.

Adopted 1/13/06. Yeas, 12; Nays, 1 as follows:

Yeas - Goodman, Hodges, Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Johnson.

Nays - Gordon.

**W&M/Budget** - Your Committee recommends passage of the accompanying Resolution approving construction change orders for contracts related to the New Central Library Project.

Adopted 1/13/06.

Approved by Mayor Rybak 1/13/06.

Published 1/18/06; Notice of Correction regarding Mayor's signature published 1/20/06 and 1/21/06.

Resolution 2006R-014, approving construction change orders for contracts related to the New Central Library Project, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-014**

**By Johnson**

**Approving Change Orders for the New Central Library Project.**

Resolved by The City Council of The City of Minneapolis:

That the following change orders be approved:

a) Change Order No. 11 increasing Contract Number C-20481 with PCL Construction Services, Inc. by \$273,000; and

b) Change Order No. 4 increasing Contract Number C-20133 with HKL Cladding Systems, Inc. by \$91,084.

Adopted 1/13/06.

Approved by Mayor Rybak 1/13/06.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to amend the Office Lease Contract #017171 with CCT Bldg. L.L.C., increasing the contract amount by \$24,500 to extend the lease contract through May 2006.

Adopted 1/13/06.

Approved by Mayor Rybak 1/13/06.

Published 1/18/06; Notice of Correction regarding Mayor's signature published 1/20/06 and 1/21/06.

**W&M/Budget** - Your Committee, having under consideration the hiring of 311 Call Center Support Staff, now recommends that the proper City officers be authorized to offer starting salaries between Step 4 and Step 8 for employees hired prior to January 13, 2006 for the positions of Administrative Analyst II and Business Application Analyst II.

Your Committee further recommends for future job offers, that staff be directed to report back to the City Council for approval.

Adopted 1/13/06.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution approving the terms of a 2-year labor agreement with the International Association of Machinist and Aerospace Workers, District Lodge #77, effective July 1, 2005 through June 30, 2007.

Adopted 1/13/06.

Resolution 2006R-015, approving the terms of a 2-year labor agreement with the International Association of Machinist and Aerospace Workers, District Lodge #77, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-015**

**By Johnson**

**Approving the terms of a collective bargaining agreement with the International Association of Machinist and Aerospace Workers, District Lodge #77 and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Association of Machinist and Aerospace Workers, District Lodge #77 (Petn No 270925), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 1/13/06.

**W&M/Budget** - Your Committee recommends approval of the recommendation of the Director of Human Resources regarding the position of Director, Human Resources Information System (HRIS) Administration from classified service, grade 12 (570 points) to appointed service, grade 12 (575 points), effective January 30, 2006.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said position.

Adopted 1/13/06.

Ordinance 2006-Or-001 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, reclassifying the position of Director, Human Resources Information System (HRIS) Administration from classified service to appointed service, was adopted

1/13/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2006-Or-001**  
**By Johnson**  
**1st & 2nd Readings: 1/13/06**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**  
**Effective: January 30, 2006**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Director, HRIS Administration	575	12	A	\$79,708	\$83,904	\$86,421	\$88,099
Adopted 1/13/06.									

**W&M/Budget** - Your Committee recommends approval of the February 2006 utility billing insert providing information regarding the "Southside Housing Fair" and the "North Minneapolis Housing Fair".  
Adopted 1/13/06.

**MOTIONS**

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of February, 2006, be approved and ordered paid subject to audit by the Finance Officer.  
Seconded.  
Adopted 1/13/06.

Lilligren moved passage of the accompanying resolution adding 1.0 FTE Council Office Associate in the City Clerks Office, and approving the appropriation. Seconded.  
Adopted 1/13/06.

**RESOLUTION 2006R-016**  
**By Lilligren and Ostrow**

**Amending The 2006 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:  
That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Clerk Agency in the General Fund (0100-260-2611) by \$52,000, and increasing the FTE by 1.0 Council Office Associate.  
Adopted 1/13/06.  
(Republished 2/18/06)





Whereas, Michael has contributed to furthering the City's planning and community development goals through the effective development and implementation of the City's plans and priorities; and

Whereas, Michael has consistently served the Minneapolis community in a positive, professional and courteous manner; and

Whereas, Michael's knowledge, skills and dedication to his profession throughout his tenure for the past 30 years have earned him the respect and friendship of his staff, colleagues and customers; and

Whereas, Michael has made significant contributions to the City during his tenure, including:

- Assisting with the revision of the City's Zoning Code adopted in 1999, and the development of the two most recent City Comprehensive Plans – Minneapolis Plan for the 80's (adopted in 1979) and The Minneapolis Plan (adopted in 2000)
- As Manager of the Office of Environmental Management, successfully managing the Minneapolis-St. Paul CO2 Reduction Program and coordinated the development and implementation of the Minneapolis-St. Paul Urban CO2 Project Plan
- Teaming with Public Works staff to develop the City's Travel Demand Management
- Coordinating the City's environmental review processes and completed the preparation of 35 environmental reviews and hundreds of assessments
- Preparing staff reports for presentation to the City Planning Commission and City Council for over 200 projects that required City land use approvals
- Preparing grant applications that helped secure over \$11 million in grants
- Coordinating the bids for major amateur athletic events, including the US Olympic Festival (hosted in 1990), the International Special Olympics (hosted in 1991) and the 1996 Summer Olympic Games
- As a Community Planner, staffing the citizen participation process for three Minneapolis communities (SE/University, NE and SW) and helping to develop their community plans; and

Whereas, the City of Minneapolis and the Community Planning and Economic Development Department wishes to formally recognize the achievements of Michael and his dedicated service to the Department and City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank J. Michael Orange for his outstanding service and dedication to the City of Minneapolis.

Be It Further Resolved that we wish Michael much happiness, good health and personal fulfillment in the years to come knowing he will go on to great new challenges and successes.

Adopted 1/13/06.

Resolution 2006R-018, honoring John Moir for his years of service and dedication to the City of Minneapolis, was adopted 1/13/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2006R-018**

**By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,  
Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges.**

**Honoring John Moir for his years of service and dedication to the City of Minneapolis.**

Whereas, John Moir has served the City of Minneapolis for nearly 14 years in his roles both as finance director and city coordinator and has tirelessly promoted the financial health of the City; and

Whereas, John Moir served as coordinator during a time of great financial challenges for Minneapolis; and

Whereas, Mr. Moir initiated development and implementation of a five-year financial direction to put the City back on the road to fiscal health; and

Whereas, Mr. Moir has doggedly championed business planning and resource allocation to achieve defined, measurable results; and

Whereas, Mr. Moir has framed and promoted innovative structural solutions to future financial challenges, including pensions, fund deficits, and economic development processes; and

Whereas, Mr. Moir has guided enterprise-wide efforts to improve customer service delivery to Minneapolis' citizens including One-Stop and One Call; and

Whereas, John Moir is profoundly respected by his staff, assistant city coordinators, other charter department heads, elected officials and many others in this region; and

Whereas, John is recognized for his passionate commitment to stewardship and integrity in public service;

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis recognizes John Moir for his years of dedication and leadership and the difference he has made to this municipal corporation.

Adopted 1/13/06.

Johnson moved to adjourn to Room 315 City Hall to consider potential litigation against the Minneapolis Police Relief Association and the Minneapolis Fire Relief Association. Seconded.

Adopted upon a voice vote 1/13/06.

Room 315 City Hall

Minneapolis, Minnesota

January 13, 2006 – 10:25 a.m.

The Council met pursuant to adjournment.

President Johnson in the Chair.

Present – Council Members Goodman, Hodges, Hofstede, Ostrow, Lilligren, Colvin Roy, Glidden, Remington, Benson, Johnson.

Absent – Samuels, Gordon, Schiff.

Heffern stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving potential litigation against the Minneapolis Police Relief Association and the Minneapolis Fire Relief Association.

At 10:27 a.m. Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Samuels, Gordon, Schiff.

Present – Council Members Goodman, Hodges, Samuels (in at 10:34 a.m.), Gordon (in at 10:28 a.m.), Hofstede, Ostrow, Schiff (in at 10:36 a.m.), Lilligren (out at 10:50 a.m., in at 10:57 a.m.), Colvin Roy, Glidden, Remington, Benson, Johnson.

Also present – Jay Heffern, City Attorney; Peter Ginder, Deputy City Attorney; John LeFevre, Jr., outside counsel with Kennedy & Graven; Pat Born, Finance Officer; Heather Johnston, Budget Director; Merry Keefe, City Clerk; and Peggy Menshek, City Clerk's Office.

LeFevre summarized the Minneapolis Police Relief Association and the Minneapolis Fire Relief Association lawsuits from 10:27 a.m. to 11:05 a.m.

At 11:06 a.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Ostrow moved that the City Attorney's Office be authorized to initiate a lawsuit against the Minneapolis Firefighters' Relief Association and the Minneapolis Police Relief Association to enforce

the terms of the 1995 settlement agreement from the previous lawsuit between the City of Minneapolis and the two relief associations and to resolve any issues raised in the audit reports of the State of Minnesota Office of the State Auditor or any other issues involving proper and legal determination of the calculation of unit value and pension payment. Seconded.

Adopted 1/13/06.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 1/13/06.

MerryKeefe,  
City Clerk.

Unofficial Posting: 1/17/2006

Official Posting: 1/20/2006

Corrections: 1/26/2006; 3/23/2006; 8/17/2007